

PSJ3

Exhibit 428

**From:** "Norton, Rita" <RNorton@amerisourcebergen.com>  
**Sent:** Thu, 17 Sep 2015 10:56:45 -0400 (EDT)  
**To:** "Reed, Chuck" <CReed@amerisourcebergen.com>  
**Cc:** "Eddy, Julie" <JEddy@amerisourcebergen.com>; "Kounelis, Peter" <PKounelis@amerisourcebergen.com>; "Lea, Beth" <BLea@amerisourcebergen.com>; "Money, Jason R" <JMoney@amerisourcebergen.com>; "Mullin, Tom" <TMullin@amerisourcebergen.com>; "Poletti, Clair M" <CPoletti@amerisourcebergen.com>; "Prieve, Chris" <ChrisPrieve@amerisourcebergen.com>; "Renkvish-Abo, Shelly" <SRenkovich-Abo@amerisourcebergen.com>; "Tallamy, Brad" <BTallamy@amerisourcebergen.com>; "Zimmerman, Chris" <CZimmerman@amerisourcebergen.com>  
**Subject:** Re: TIME SENSITIVE REQUEST - NACDS Policy Council

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Hi all, we have signed off on this language through HDMA - thanks  
Rita

Sent from my iPad

On Sep 17, 2015, at 10:55 AM, Reed, Chuck <[CReed@amerisourcebergen.com](mailto:CReed@amerisourcebergen.com)> wrote:

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**From:** Eric Juhl [mailto:[EJuhl@NACDS.org](mailto:EJuhl@NACDS.org)]  
**Sent:** Thursday, September 17, 2015 7:23 AM  
**Subject:** TIME SENSITIVE REQUEST - NACDS Policy Council  
**Importance:** High

\*\*\*\*\* CONFIDENTIAL \*\*\*\*\*

Dear NACDS Policy Council Members:

We have received the following updated definition of "imminent danger" that is being considered for S.483, the "Ensuring Patient Access and Effective Drug Enforcement Act of 2015" sponsored by Sen. Orrin Hatch (R-UT) and Sen. Sheldon Whitehouse (D-RI). The revised language is being reviewed by many stakeholders, including prescription drug manufacturers and wholesalers. It is our understanding that the revisions to the language were made based on discussions with DEA/DOJ and reflects their concerns. The revised definition reads as follows:

*"In this subsection, the phrase 'Imminent danger to the public health or safety' means that, due to the failure of the registrant to maintain effective controls against diversion or otherwise comply with the obligations of a registrant under this subchapter or subchapter II of this title, there is a reasonably foreseeable and substantial likelihood of an immediate threat that death, serious bodily harm, or the ongoing abuse of a controlled substance will occur in the absence of an immediate suspension of the registration."*

Please review the definition and advise if you have any concerns by **noon on Friday, September 18**.

**Please do not distribute outside of your company. Also, please note that we are not able to consider any edits to the definition, as this is compromise language among a large number of stakeholders.**

Thank you,

Eric

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